MSS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 511 OF 2007

Ranjan M. Parikh .. Petitioner

Vs.

State of Maharashtra & Ors. .. Respondents

Mr. M. P. Vashi for petitioner

Mr. Panicker with A. V. Sathe for Respondent Nos. 2 to 4 & 7.

CORAM: **SWATANTER KUMAR, C.J**. &
SMT. RANJANA DESAI, J.

DATE: **JULY 02, 2007**.

P.C.

. We have heard the learned counsel appearing for the parties.

. In view of the order of the Division Bench dated 5th March, 2007, we are informed that the management has passed an order afresh terminating the services of the petitioner. In the reply affidavit statement has also been made that the petitioner was paid a sum of Rs.2,99,158/-.

However, it is contended on behalf of the petitioner that the salary from the period when the petitioner was reinstated has not been paid in terms of his employment.

. It is not in dispute that the petitioner has also filed a contempt petition. The said contempt petition is pending. Suffice it to say that it not necessary for us to go into any controversy in the present case. The services of the petitioner have already been terminated now by an order dated 14th March, 2007. The petitioner has already challenged the said order. The petitioner is at liberty to raise this plea. The disciplinary authority was expected to comply with the order with regard to the backwages of the petitioner in terms of the decision of the learned Single Judge dated 28th August, 2006.

. The matter is already subjudice before the court in contempt petition, therefore, we consider it totally unnecessary to go into the controversy in the present case. The petitioner is still at liberty to make representation to the management to pay salary and other wages payable to her on which the respondents should pass appropriate order.

This direction is without prejudice to the rights and contentions of the parties in the various cases which are said to be pending before the competent courts.

. The petition is disposed of with no order as to costs.

CHIEF JUSTICE

SMT. RANJANA DESAI, J.